REMARKS/ARGUMENTS

Applicants have received the Office Action dated October 18, 2007 (hereinafter "Office Action"), in which the Examiner: 1) rejected claims 1-4, 6, 9-13, 15-18, 21 and 22 under 35 U.S.C. § 103(a) as being allegedly obvious over Endo et al. (U.S. Pat. No. 7,228,275, hereinafter "Endo") in view of Johnson (U.S. Pat. No. 6,728,671, hereinafter "Johnson"); and 2) rejected claim 5 under 35 U.S.C. § 103(a) as being allegedly obvious over Endo in view of Johnson and further in view of Kemble et al. (U.S. Pat. No. 7,072,837, hereinafter "Kemble"). No amendments have been made to the claims in this response. Based upon the arguments contained herein, Applicants believe this case is in condition for allowance.

In rejecting independent claim 1 as allegedly obvious over Endo in view of Johnson, the Examiner stated that

> ...Endo et al. do not specifically teach the first speech recognition engine permits a plurality of ports to be used on behalf of a plurality of users and the system further comprises a port monitor coupled to the first speech recognition engine and to the evaluation logic, wherein the port monitor determines a number of currently available ports and, if the number of currently available ports exceeds a threshold.

Office Action, p. 3, ¶ 3. The Examiner further stated that Johnson overcomes the deficiency of Endo by teaching, among other things, "first determining a usage level of the plurality of ASR[1] input channels; and second, when the usage level of the plurality of ASR input channels is greater than a first predetermined threshold (col. 12, line 60 – col. 13, line 1)." Office Action, p. 3, ¶ 3 (footnote added). Applicants respectfully note that in applying both the Endo and Johnson references, the Examiner failed to take into account all of the limitations of independent claim 1. Specifically, independent claim 1 requires, among other things,

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[1] ASR is defined within Endo as "automatic speech recognition." *See* Endo, Abstract.

> wherein the first speech recognition engine permits a plurality of ports to be used on behalf of a plurality of users and the system further comprises a port monitor coupled to the first speech recognition engine and to the evaluation logic, wherein the port monitor determines a number of currently available ports and, if the number of currently available ports exceeds a threshold, <u>causes the first speech recognition engine to be selected and used.</u>

The emphasized text indicates the portion of the claim not addressed by the Examiner's rejection. Applicants respectfully submit that this claim element is not taught or even suggested by either Endo or Johnson.

Endo teaches a speech recognition system wherein "Each of the first and second speech recognizers outputs first and second recognized speech texts and first and second associated confidence scores, respectively, and the decision module selects either the first or the second speech text depending upon which of the first or second confidence score is higher." Endo, Abstract. No mention is made anywhere within Endo of monitoring utilization levels of any of the speech recognizers, nor of switching between speech recognizers based, even in part, upon the level of utilization of a recognizer. Johnson teaches "first, determining a usage level of the plurality of ASR input channels; and second, when the usage level of the plurality of ASR input channels is greater than a first predetermined threshold, providing an associated delay mode for a message output on one or more output channels of the plurality of output channels." Johnson, col. 12 lines 65-67 through col. 13, lines 1-4. No mention is made anywhere within Johnson of switching between ASRs based, even in part, upon the level of utilization of the ASR.

Thus, neither Endo nor Johnson teaches or even suggests a port monitor that "if the number of currently available ports exceeds a threshold, causes the first speech recognition engine to be selected and used," as required by independent claim 1. Further none of the cited art, either alone or together, overcomes the deficiencies of Endo and Johnson. For at least these reasons,

Applicants respectfully submit that none of the art cited teaches or even suggests all of the limitations of independent claim 1, and thus the claim is not rendered obvious by the cited art. Applicants therefore respectfully submit that independent claim 1, as well as those claims that depend upon it, are all in condition for allowance. Further, independent claims 9, 15 and 21, which were rejected by the Examiner for the same reasons as claim 1, include limitations similar to those of independent claim 1. Thus, for at least the same reasons as those presented with regard to independent claim 1, Applicants respectfully submit that independent claims 9, 15 and 21, as well as those claims that respectively depend upon them, are all in condition for allowance.

Regarding the rejection of dependent claim 5 as allegedly obvious over Endo in view of Johnson and further in view of Kemble, Applicants respectfully note that because claim 5 includes all of the limitations of independent claim 1, and because Kemble fails to overcome the deficiencies of Endo and Johnson discussed above, dependent claim 5 is not rendered obvious over the cited art for at least the same reasons presented with regard to independent claim 1. Applicants thus respectfully request withdrawal of the rejection of dependent claim 5 under 35 U.S.C. 103(a).

CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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